



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q90338

Takayuki OKA, et al.

Appln. No.: 10/553,100

Group Art Unit: 1744

Confirmation No.: 2227

Examiner: Not yet assigned

Filed: October 13, 2005

For: PARTICLE HAVING MAGNETIC MATERIAL INCORPORATED THEREIN, PROCESS FOR PRODUCING THE SAME, PARTICLE FOR IMMUNOASSAY AND METHOD OF IMMUNOASSAY

**REQUEST FOR CORRECTED NOTICE OF ACCEPTANCE UNDER 35 U.S.C. 371 AND 37 CFR 1.495**

**ATTN:** Office of Initial Patent Examination  
Notice of Acceptance Correction  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

We enclose a copy of the Notice of Acceptance for the above-identified application and request the following correction:

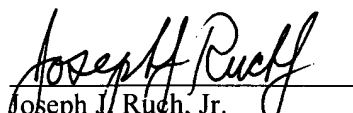
**Priority Date**

~~06/16/2003~~ 04/16/2003

Verification for the requested correction is indicated on the enclosed copy of the original Declaration filed October 13, 2005.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

  
Joseph J. Ruch, Jr.  
Registration No. 26,577

WASHINGTON OFFICE

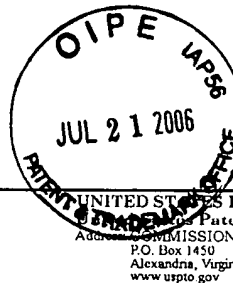
**23373**

CUSTOMER NUMBER

Date: July 21, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE  
 Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/553,100	Takayuki Oka	Q90338

23373  
 SUGHRUE MION, PLLC  
 2100 PENNSYLVANIA AVENUE, N.W.  
 SUITE 800  
 WASHINGTON, DC 20037

DOCKETED  
 MAY 30 2006

INTERNATIONAL APPLICATION NO.	
PCT/JP04/05515	
I.A. FILING DATE	PRIORITY DATE
04/16/2004	06/16/2003

CONFIRMATION NO. 2227

## 371 ACCEPTANCE LETTER



\*OC00000018786427\*

Date Mailed: 05/19/2006

## NOTICE OF ACCEPTANCE OF APPLICATION UNDER 35 U.S.C 371 AND 37 CFR 1.495

The applicant is hereby advised that the United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495), has determined that the above identified international application has met the requirements of 35 U.S.C. 371, and is ACCEPTED for national patentability examination in the United States Patent and Trademark Office.

The United States Application Number assigned to the application is shown above and the relevant dates are:

<u>10/13/2005</u>	<u>10/13/2005</u>
DATE OF RECEIPT OF 35 U.S.C. 371(c)(1), (c)(2) and (c)(4) REQUIREMENTS	DATE OF COMPLETION OF ALL 35 U.S.C. 371 REQUIREMENTS

A Filing Receipt (PTO-103X) will be issued for the present application in due course. **THE DATE APPEARING ON THE FILING RECEIPT AS THE " FILING DATE" IS THE DATE ON WHICH THE LAST OF THE 35 U.S.C. 371 (c)(1), (c)(2) and (c)(4) REQUIREMENTS HAS BEEN RECEIVED IN THE OFFICE. THIS DATE IS SHOWN ABOVE.** The filing date of the above identified application is the international filing date of the international application (Article 11(3) and 35 U.S.C. 363). Once the Filing Receipt has been received, send all correspondence to the Group Art Unit designated thereon.

The following items have been received:

- Copy of the International Application filed on 10/13/2005
- Copy of the International Search Report filed on 10/13/2005
- Copy of IPE Report filed on 10/13/2005
- Preliminary Amendments filed on 10/13/2005
- Information Disclosure Statements filed on 10/13/2005
- Oath or Declaration filed on 10/13/2005
- Request for Immediate Examination filed on 10/13/2005
- U.S. Basic National Fees filed on 10/13/2005
- Priority Documents filed on 10/13/2005

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Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

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FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

PART 1 - ATTORNEY/APPLICANT COPY

FORM PCT/DO/EO/903 (371 Acceptance Notice)

**DECLARATION AND POWER OF ATTORNEY FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)**

As a below named inventor, I hereby declare that: My residence, mailing address, and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PARTICLE HAVING MAGNETIC MATERIAL INCORPORATED THEREIN, PROCESS FOR PRODUCING THE SAME, PARTICLE FOR IMMUNOASSAY AND METHOD OF IMMUNOASSAY**

the application of which

☒ is attached hereto

OR

☐ was filed on April 16, 2004 as  
PCT International Application Number PCT/JP2004/005515  
and was amended on

\_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part application(s), material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application(s) having a filing date before that of the application on which priority is claimed.

Prior Application Number(s)	Country	Filing Date	Priority Claimed	
			Yes	No
2003-111994	Japan	April 16, 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2003-360986	Japan	October 21, 2003	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2004-054295	Japan	February 27, 2004	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I hereby claim benefit under 35 United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)

Filing Date

I hereby claim benefit under 35 United States Code §120 of any United States application(s) or §365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in a listed prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge my duty to disclose any information material to the patentability of this application as defined in 37 C.F.R. 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. or International Application Number(s)

U.S. or International Filing Date

Status

1  
I hereby appoint all attorneys of SUGHRUE MION, PLLC who are listed under the USPTO Customer Number shown below as my attorneys to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys listed under that Customer Number may be changed from time to time at the sole discretion of Sughrue Mion, PLLC, and request that all correspondence about the application be addressed to the address filed under the same USPTO Customer Number.

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

<b>NAME OF SOLE OR FIRST INVENTOR:</b>				
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<b>NAME OF SECOND INVENTOR:</b>				
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<b>NAME OF THIRD INVENTOR:</b>				
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<b>NAME OF FOURTH INVENTOR:</b>				
Given Name (first and middle [if any]) Wataru		Family Name or Surname WAKUI		
Inventor's Signature <i>Wataru Wakui</i>		Date OCT. - 6. 2005		
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